

# Chapter 1

## Purpose and Need

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## PURPOSE AND NEED

### *Introduction*

In 2003, the Chief of the Forest Service identified the four greatest threats facing our nation's forests. One of those threats is unmanaged recreation, including impacts from unmanaged off-highway vehicle use (OHVs). To address this issue, the Forest Service developed a national strategy to evaluate recreational motor vehicle use on NFS lands. The strategy would work towards resolving issues such as damage to wetlands, wildlife habitat and fragile soils, disturbance to wildlife, spread of noxious weeds, and conflicts between recreationists. Following a national public comment process, this strategy was then formalized as new national travel management regulations and published as a "final rule" in the Federal Register in 2005.<sup>1</sup>

The final rule entitled, "*Travel Management – Designated Routes and Areas for Motor Vehicle Use*," became effective December 2005 and revises several regulations to require designation of roads, trails, and areas for motor vehicle use on National Forests and National Grasslands. The "*Travel Management – Designated Routes and Areas for Motor Vehicle Use*," will be referred to as the Travel Rule in the remainder of this document.

Highlights of the Travel Rule are:

- Each National Forest or Ranger District is to designate those roads, trails, and areas open to motor vehicles.
- Designation will include class of vehicle and, if appropriate, time of year for motor vehicle use.
- Once the designation process is complete, the rule will prohibit motor vehicle use off the designated system or use that is inconsistent with the designations.
- Designation decisions will be made locally, with public input and in coordination with state, local and tribal governments.

To meet these new regulations, the Forest Service began the process to evaluate necessary changes to the motorized routes and areas on the Heppner Ranger District of the Umatilla National Forest. The 1992 *Motorized and Access Travel Management Decision for the Heppner Ranger District* (1992 ATM Plan) designated a system for OHV use on the east portion of the Heppner Ranger District. This designated system is consistent with the Travel Rule. However, the 1992 ATM Plan identified overland travel throughout the general forest access strategy area on the west portion of the District. Overland travel in such a large area would not be consistent with the Travel Rule. Overland travel, or OHV riding area designation, is intended to be limited to small, definable areas, such as sand dune areas, lakebeds or mineral quarries where such use can be effectively contained and managed and has limited resource impacts. This EA focuses on designating an OHV system in the western portion of the Heppner Ranger District where cross country travel has continued since the implementation of the 1992 ATM Plan.

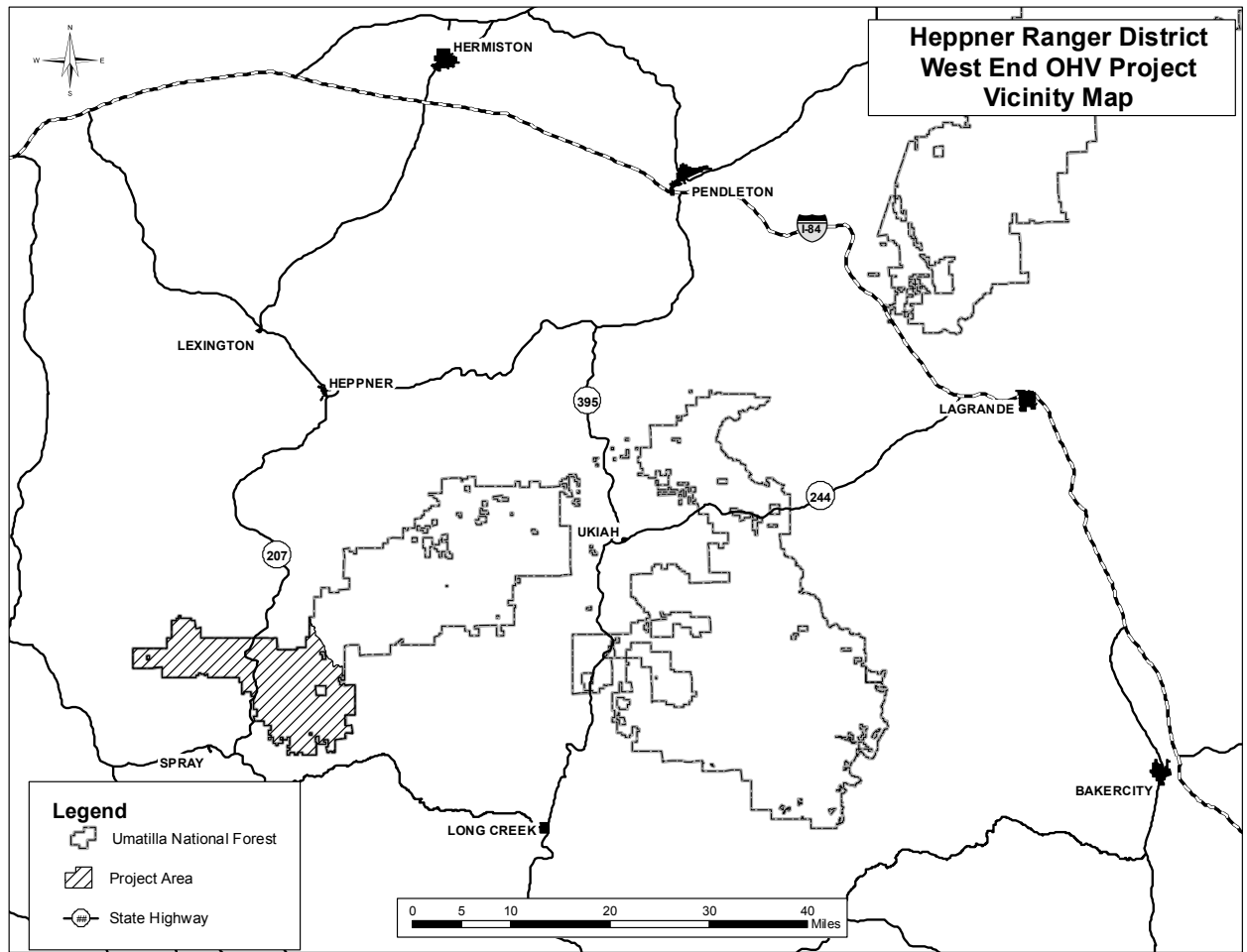
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<sup>1</sup> 70 FR 68264 – 68291, November 9, 2005. A "rule" establishes enforceable regulations that have gone through a national public process.

## **Project Area**

The West-End OHV project area encompasses a total of about 91,000 acres and is located in the western portion of the Heppner Ranger District in Grant, Morrow, and Wheeler counties, Oregon, about 20 miles south of the town of Heppner. The project area encompasses all national forest lands west of the Sunflower Flat Road (FS Road 22). You can access the project area from State Highway 207. A legal description of the area includes T. 6 S., R. 24 E., Sections 21, 26-28, and 33-35; T. 6 S., R. 26 E., Sections 26 and 35; T. 7 S., R. 23 E., Sections 11 thru 14; T. 7 S., R. 24 E., Sections 1 thru 5, 7 thru 18, and 20 thru 24; T. 7 S., R. 25 E., Sections 1 thru 27 and 34 thru 36; T. 7 S., R. 26 E., Sections 1, 2, 6 thru 36; T. 7 S., R. 27 E., Sections 7, 17 thru 20, and 29 thru 33; T. 8 S., R. 25 E., Sections 1, 2, and 11 thru 14; T. 8 S., R. 26 E., Sections 1 thru 30 and 33 thru 35; T. 8 S., R. 27 E., Sections 4, 17 thru 21, and 29-31; Willamette Meridian, Surveyed (Figure 1-1).

The project area comprises about 91,000 acres within the National Forest boundary in the Upper Rock Creek, Wall Creek, and Lower John Day River-Kahler Creek Watersheds. The topography is generally a south aspect with varying terrain ranging from plateaus in the Long Prairie and Sunflower Flat areas to steep canyons and drainages in the Wall Creek and Bologna Creek drainage areas. The elevation ranges between 4,987 feet at Wheeler Point and 2,625 feet where Big Wall Creek leaves the forest boundary. There is 19,982 acres of the Monument Big Game Winter Range and 2,985 acres in the Kahler Winter Range both located in the southern portion of the project area. There are no inventoried roadless areas, no wilderness areas and no wild and scenic rivers within the project area.



**Figure 1-1: Location of the West-End OHV Project Area**

## Background

In 1992, the *Motorized Access and Travel Management Plan for the Heppner Ranger District* (1992 ATM Plan) was completed. The West-End of the Heppner Ranger District has been operating under this plan since that time. There have been several indicators that highlight the need to re-evaluate the area's current ATM plan in relation to OHV use.

1. The plan allows Class I (4 wheelers) and Class III (motorcycles) OHV cross country travel in the general forest area. This equates to approximately 61,000 acres of the 91,000 acre planning area. Although cross country travel is allowed on only certain management areas, the on-the-ground delineation of these areas is not well defined. It is often associated with an elevation band, vegetation type change, or land feature (such as riparian areas). It is difficult for users to know and understand where changes in use restrictions occur and it results in challenges in enforcing the ambiguous boundaries on the ground. Cross country travel has occurred in areas inconsistent with that decision. This 61,000 area open to cross country travel is not consistent with the intent of the Travel Rule.
2. OHV use has increased dramatically. Nationally, it is estimated that there has been more than a 10-fold increase in OHV users since 1972. From 1982 to 2000, the number of people driving motor vehicles off road in the United States increased over 109 percent. From 1997 to 2001 the number of ATV's in use increased by almost 40 percent. (Federal Register, Vol. 70, 216, November 9, 2005). Similar trends are noted in the State of Oregon. Information from the Oregon Parks and Recreation Department indicate that ATV operating permits have more than doubled in the last seven years. An increase in use has been noted locally as well. Morrow County opened an OHV park in 2002 adjacent to the national forest. In 2003, the county estimates that they had approximately 4,725 visitors. It is estimated that approximately 33,500 visited the park in 2007.
3. Current regulations were developed when OHVs were less widely available, less powerful, and less capable of cross country travel than today's models. The West-End OHV area has provided a recreational niche for motorized users where Class I and Class III riders have had the opportunity to ride cross country in areas that are closed to other motorized vehicles such as passenger cars and pickup trucks. As discussed above, the use of OHVs has increased since the 1992 ATM plan was established.
4. Morrow and Grant Counties, the Forest Service and recreational riders desire to have and provide the opportunity for users to explore the Morrow-Grant County OHV Park (OHV Park) and adjacent public lands. The Morrow-Grant County OHV Park was expanded in 2008 and now is approximately 8,000 acres. The acquisition of additional land has resulted in an increase in the boundary shared with the National Forest. Currently, the Morrow-Grant County OHV Park and the adjacent Forest Service lands have differing policies in place for the management of OHV use. The Park has a designated trail system while the Forest is currently open to cross country travel. As the Forest develops a plan for the West-End OHV area, the counties, the Forest Service, and recreational riders desire to have logical connections to designated routes on public lands.
5. With increased use, there is a higher potential for resource impacts related to unmanaged

motorized use, as well as an increased potential for user conflicts. Impacts from OHVs when traveling off existing roads and trails include vegetation damage, noxious weed spread, wildlife disturbance, stream bank destabilization, and sediment inputs into streams.

Where cross country travel is allowed, OHVs may continue to ford streams and drive through Riparian Habitat Conservation Areas (RHCAs) off of existing roadbeds or trails. There are approximately 16,000 acres of RHCAs, of which over 2,200 acres are riparian areas along fish bearing streams. Mid-Columbia steelhead trout has been identified as a federally listed species since the 1992 ATM Plan was adopted. There are currently about 37 miles of designated critical habitat within the planning area.

Since the 1992 ATM plan was completed for the West-End OHV area, several streams in the area have been listed as 303(d) listed as temperature or sediment impaired streams.

The Oregon Department of Fish and Wildlife (ODFW) reports that they have witnessed an increase of big game (especially elk) moving from public to private lands. This is more evident on the Fossil big game management unit and has led to a reduction in the public hunting opportunity on public lands. ODFW cites recent Starkey Experimental Forest research that indicates disturbances to big game from all terrain vehicles exceed all other common recreational activities such as hiking, horseback riding, and mountain biking.

Over the course of several years there have been increasing complaints and local user debate associated with motorized use in the West-End OHV area, including the area around Bull Prairie, a developed recreation site. There is an increasing desire from the recreating public to provide both motorized and non-motorized recreational opportunities within the project area. In addition to the public debate associated with Bull Prairie campground, there is a desire from some segments of the public to reduce the amount of area available for OHV use during hunting seasons in the West-End area.

6. In 2008 a mixed use analysis was conducted. This engineering analysis was completed to assess the consistency with Oregon state law and the general suitability of mixed motor vehicle use on roads on the Heppner Ranger District. This analysis resulted in restricting OHV use on certain road segments to reduce the risk to OHV riders and improve public safety. These adjustments were implemented in 2008 and resulted in severing several connections associated with some popular OHV loops.
7. Since the 2005 Travel Rule has been published, the public has expressed widely varying opinions associated with the current and future management plans on the West-End OHV project area. In September of 2006, the Heppner Ranger District initiated a public information campaign using websites, newsletters, visitor contacts, and public meetings. Recreation related comments were widely varied and ranged from keeping things the way they are, eliminating OHV use altogether, providing recreational riding opportunities, maintaining OHV access for hunters, eliminating OHV use during hunting seasons, maintaining adequate connections to the OHV park, eliminating connections to the OHV park, to providing more non-motorized recreation opportunities. Many expressed resource related concerns related to wildlife, water, fish, and noxious weed spread. Public input and local resource specialist knowledge was used in the development of this project. See public input section.

## Purpose and Need for Action

The purpose of the proposed action is to implement the Forest Service's Travel Rule (36 CFR §261.13, 2007) across the entire Heppner Ranger District of the Umatilla National Forest. In 1992, the *Motorized Access and Travel Management Plan for the Heppner Ranger District* (1992 ATM Plan) was completed. The West-End of the Heppner Ranger District has been operating under this plan since that time.

In consideration of the Forest Service's Travel Rule, the Umatilla National Forest Plan, and the need for adjustments to the 1992 ATM plan as described in the background section, the following describes the need for this proposed action:

1. There is a need for travel management on the Heppner Ranger District to be consistent with national direction as published in the Federal Register, 36 CFR Parts 212, 251, 261, 295 "Travel Management; Designated Routes and Areas for Motor Vehicle Use" (Federal Register 2005: 70FR68264) (Travel Rule). The 1992 plan restricts cross country travel on 31,000 acres of the project area and allows cross country travel on over 61,000 acres. There is a need to bring the 61,000 acres consistent with the Travel Rule.
2. There is a need to designate a system of roads, trails, and/or areas that reduces the potential for impacts from cross country travel associated with noxious weed spread, sedimentation, fish habitat, water quality, and the disturbance of big game habitat within the West-End OHV project area.
3. There is a need to designate a system that helps address concerns associated with the disturbance of big game while occupying the general forest area within the West-End OHV project area, particularly within the Fossil big game management area.
4. Currently full size vehicles and OHVs have access to all roads within the Bull Prairie Campground. OHVs create noise when operating within the campground or when traveling through the campground to reach other destinations. This condition has the potential to cause conflicts between users of the campground. The Forest Plan standards require that, within Management Area A6 – Developed Recreation, OHV use is managed to minimize conflicts between users. There is a need to adjust OHV use within the developed campground at Bull Prairie.
5. There is a need to provide for logical connections along designated routes for OHV use to meet public demand for loop rides, restore connections where connections have been eliminated due to the risk to public safety, and to provide connections to the Morrow/Grant County OHV Park.

## Proposed Action

The proposed action is described in detail in Chapter 2 and in Appendix A (maps) of this Environmental Assessment. The Forest Service proposes to:

1. Designate 61,000 acre area closed to cross country travel.
2. Designate 77 miles of existing system roads as Class I and III OHV trails. Off trail use would not be allowed from designated trails. The system roads designated as trails would remain on the road system and be available as needed for administrative use. The Alternative 2 Map identifies designated trails proposed to be open for OHV use as a



dashed line (see Appendix A).

3. Designate 6 miles of new trails for Class I and III OHV use. The Alternative 2 Map identifies designated new trails as a triple parallel line.
4. Designate roads within the Bull Prairie Campground as closed to OHV use.

All other decisions made in the 1992 ATM Plan will remain unchanged.

### **Consistency with Laws, Regulations, and Policies**

This environmental assessment (EA) has been prepared pursuant to the requirements of the National Environmental Policy Act (NEPA, 40 CFR §1500-1508, 2007), the National Forest Management Act (36 CFR Part 219, 2007), and the 1990 Umatilla National Forest Land and Resource Management Plan (Forest Plan), the Council on Environmental Quality Regulations, Clean Water Act, Clean Air Act, National Historic Preservation Act, and the Endangered Species Act.

This environmental analysis is tiered to and supplements the analysis in the final environmental impact statement (FEIS) and planning record supporting the Forest Plan. Documented analysis in the Forest Plan have been referenced rather than repeated in some instances. Analyses pertaining to the FEIS for the Forest Plan are contained in the Forest Planning Record located at the Forest Supervisors office in Pendleton, Oregon. The Forest Plan guides management of the Umatilla National Forest.

### **Umatilla National Forest Land and Resource Management Plan**

The Umatilla National Forest Land and Resource Management Plan (Forest Plan) provides programmatic direction for the Forest, including the West-End OHV Project Area. The Forest Plan does this by allocating parts of the Forest to different resource emphasis areas or management areas, and prescribing the type and intensity of management that may occur within each of the 25 management areas. The Management Areas for the West-End OHV Project Area are shown on Map 6 in Appendix A. Compliance with goals and desired future conditions are discussed in the forest plan consistency section in Chapter 3 of this document. Compliance with Forest Plan standards and guidelines will be discussed in the specific resource sections, as applicable, in Chapter 3.

The proposed action would occur within eight management areas (see Map 6, Appendix A).

#### **Management area standards and guides**

The Proposed action and action alternatives are designed to comply with the following Forest Plan Management Area standards and guides:

A3 – Viewshed 1 (664 acres) – OHV use is allowed.

A4 – Viewshed 2 (1,718 acres) – OHV use is allowed.

A6 – Developed Recreation (259 acres) – OHV use will be restricted to the roads and trails within the developed sites and managed to minimize conflicts between users.

C1- Dedicated Old Growth (3,909 acres) – Motorized vehicle use will be restricted to only those designated routes (roads and trails) necessary to cross the area and/or provide for activities occurring in adjacent management areas.

C3 – Big Game Winter Range (22,307 acres) – OHV use will be permitted on designated routes. OHV use will be curtailed by closures where this use is determined to be detrimental to wintering big game species.

C5 – Riparian and Wildlife (2,960 acres) – OHV use is permitted but limited to designated routes.

D2 – Research Natural Area (84 acres) – All recreation OHV use will be prohibited.

E1 – Timber and Forage (58,237 acres) – OHV use is permitted.

### **Forest Plan Goals**

The proposed action and action alternatives are designed to address the following Management Area goals:

A3 – Viewshed 1 (Forest Plan, pages 4-99 thru 4-104): The goal is to manage the area seen from a primary travel route, use area, or water body, where forest visitors have a major concern for the scenic qualities as a natural appearing landscape.

A4 – Viewshed 2 (Forest Plan, pages 4-105 through 4-110): the goal is to manage the areas seen from a travel route....where some forest visitors have a major concern for the scenic qualities (Sensitivity Level 2) as a natural appearing to slightly altered landscape.

A6 – Developed Recreation (Forest Plan, pages 4-117 thru 4-120): the goal is to provide recreation opportunities that are dependant on the development of structural facilities of user conveniences where interaction between users and evidence of others is prevalent.

C1 – Dedicated Old-Growth (Forest Plan, pages 4-144 through 4-146): the goal is to provide and protect sufficient suitable habitat for wildlife species dependent upon mature and/or overmature forest stands, and promote a diversity of vegetative conditions for such species.

C3 – Big Game Winter Range (Forest Plan, pages 4-151 through 4-154): The goal is to: "Manage big game winter range to provide high levels of potential habitat effectiveness and high quality forage for big game species.

C5 – Riparian (Fish and Wildlife) (Forest Plan, pages 4-163 through 4-166): The goal is to: maintain or enhance water quality and produce a high level of potential habitat capability for all species of fish and wildlife within the designated riparian habitat areas while providing for a high level of habitat effectiveness for big game.

D2 – Research Natural Area (Forest Plan, pages 4-175 thru 4-177): The goal is to preserve naturally occurring physical and biological units where natural conditions and processes are maintained, insofar as possible, for the purpose of: comparison, education and research, and preservation of gene pools.

E1 – Timber and Forage (Forest Plan, pages 4-178 through 4-181): The goal is to: manage forest lands to emphasize production of wood fiber (timber) and encourage production of forage.

### **Forest Plan Management Direction**

The proposed action and alternative actions are designed to address the forest plan standards and guides for Off Highway Vehicle Use (Forest Plan, page 4-51).

*1. Ensure off highway vehicle use is managed to protect other resources, promote safety of users, and minimize conflicts with other uses. Use OHV prohibitions only where needed to minimize*

*disturbance to wildlife, provide a range of recreation opportunities, or to protect the soil and water resources.*

In the development of the proposed action and alternatives to the proposed action protection of resources was considered and areas of concern were avoided or mitigated. Safety of users was addressed under the mixed use analysis which was completed independently from this project.

*2. Continue and expand programs and agreements with Oregon for OHV trails and facilities.*

Four alternatives were developed to include additional routes accessing the Morrow County OHV Park.

*3. Encourage OHV use to remain on designated routes by using route location, design, and public information programs. Routes should be planned to integrate on-road and off-road travel and disperse use across broad areas.*

The proposed routes under 3 action alternatives combine open roads, closed roads, and trails across the entire project area.

*4. If necessary to eliminate OHV use, insofar as possible, provide a substitute area for the OHV opportunity eliminated.*

This project proposes to eliminate cross country travel and designate various amounts and locations for additional OHV routes.

*5. In riparian areas, trails for motorized use will be managed to protect water quality and fish and wildlife habitat. Existing motorized use trails should be relocated outside the floodplain or hardened where practical. OHV use will be limited to designated routes.*

The interdisciplinary team considered effects to water, fish, and wildlife during the identification of designated trails in the action alternatives. This information can be found in the project file located at the Heppner Ranger District. In addition, the analysis includes environmental effects of trails within Riparian Habitat Conservation Areas and other habitat areas. This analysis can be found in Chapter 3 of this EA.

*6. Emphasize permitted activities rather than prohibited ones in signing and information to minimize recreation use conflicts.*

This project will designate roads and trails open to OHV use. When implemented, signing will inform users of permitted activity.

*7. Review the forest motorized access and travel management plans annually and revise as necessary.*

This project will be monitored. Designated trails and roads would be revised as necessary.

*8. Public information describing the areas and routes where motorized use is permitted, prohibited, or restricted explaining the conditions of use and providing reasons for such closures will be provided on a travel map. The map will be reviewed annually and revised as necessary.*

A Motor Vehicle Use Map (MVUM) will be produced following the decision of this project. This map will identify a designated system for OHV use and other motorized travel. All areas and roads not included on this map would be closed to OHV use. Changes to the system would be identified annually and updated maps would be made available.

## Public Involvement

The Heppner Ranger District initiated public dialogue to evaluate options to designate roads, trails or areas for OHV use within the West-End area in September of 2006. District officials have shared information and received feedback through public meetings, newsletters, a website, written correspondence and telephone calls. The proposed action was developed after 18 months of collaborative efforts with federal, state, county, and tribal agencies, motorized and non-motorized recreation user groups, conservationists, hunters and interested individuals along with consideration of the general and specific criteria as described in the Travel Rule.

Alternatives to the proposed action were developed based on comments and information gathered from public meetings, letters, and telephone calls received during the scoping process as well as the interdisciplinary team's knowledge of the area and resources along with the criteria of the Travel Rule.

A complete record of public participation and scoping activities is documented in the project record and the West-End OHV analysis.

**Table 1-1: Public Participation**

Contact	Date	Number of Individuals/Groups Contacted
Newsletter Distribution – identifying future OHV project and response card to return to be added to project mailing list	Fall 2006	100 + local users throughout the west end of the district and individuals that stopped at the district office.
News release – Heppner Ranger District Begins Public Involvement Process for West-End OHV Project	October 27, 2006	Newspaper circulation in Morrow and Umatilla Counties
Meeting Brief – Heppner Chamber of Commerce – plan to evaluate the OHV Rule regulations on the Heppner Ranger District	November 3, 2006	Approximately 20 people attended
Newsletter mailing – announcing the project and how the public will be involved	November 6, 2006	189 Letters mailed to individuals that were involved in Access Travel Management Project in 1992 112 Letters mailed to Forest's project mailing list
Newsletter – made available at Morrow County OHV Park	November 2006	OHV park adjacent to project area.
Meeting Brief – Confederated Tribes of the Umatilla Indian Reservation – inform of upcoming West-End OHV Project, distributed Fall 06 Newsletter	November 2006	Quarterly meeting with Tribal members and staff.
Meeting Brief – John Day Snake River Resource Advisory Committee – inform of upcoming West-End OHV Project, distributed Fall 06 Newsletter	November 27, 2006	15 RAC Members
Telephone calls – Senator Briefing – verbal briefing with Senator Gordon Smith's staffer and Senator Ron Wyden's staffer	January 31, 2007	Senators representing the local area
Mailing – Congressman Greg Walden and Congresswoman Cathy Morris staffers – sent copy of congressional briefing paper on OHV rule implementation plan	February 7, 2007	Congress representing the local area

Telephone calls – Morrow, Grant , and Wheeler County Judges informing of project and requesting feedback	February 13 and 14, 2007	Judges representing counties within the project area
Newsletter mailing – includes newsletter update, map of project area, directions on how to comment, dates of Open Houses	February 23, 2007	147 letters mailed to Tribal representatives and individuals that had requested to be involved in this project
Website – Project specific website launched	Spring 2007	Internet users looking for information on Forest Service, Umatilla National Forest, recreation or OHV trails
News Release – Heppner Ranger District Schedules Open Houses in March, Public input Requested to Identify OHV Route Designations	March 2, 2007	Newspaper circulation in Morrow and Umatilla Counties
Open House – Heppner, OR – request for public input to identify a designated system for OHV travel west of the 22 Road.	March 12, 2007	12 people attended
Television Notice – Heppner TV – Notice of public meetings	March 2 thru March 12, 2007	Local Television station advertisement channel
Open House – Heppner, OR– request for public input to identify a designated system for OHV travel west of the 22 Road.	March 16, 2007	11 people attended
Open House – Monument, OR– request for public input to identify a designated system for OHV travel west of the 22 Road.	March 19, 2007	4 people attended
Open House – Fossil, OR– request for public input to identify a designated system for OHV travel west of the 22 Road.	March 22, 2007	5 people attended
Newsletter mailing – includes newsletter update, Project update information	July 13, 2007	140 newsletters mailed
SOPA - Umatilla National Forest's Schedule of Proposed Actions, updated quarterly	October 1, 2007 thru present	191 hard copies mailed, 61 e-mails sent Internet users visiting the PALS database or the Umatilla National Forest Reading Room
Letter – Scoping Letter – proposed action and announcement of public meetings	February 14, 2008	210 letters mailed 42 e-mails sent
Telephone calls – Morrow, Grant , and Wheeler County Judges – update information and offer to present/discuss proposed action	February 28, 2008	Judges representing counties within the project area
Telephone calls – Congressman Walden, Senator Wyden, Senator Smith, Congresswoman McMorris-Rodgers, Senator Murray – update information to congressional field offices:	February 28, 2008	Congressional delegates representing the local area
Newspaper article: East Oregonian – announcement of proposed action and public meetings	February 29, 2008	Newspaper circulation in Eastern Oregon
Public Meeting: Heppner Ranger District Office – Provide information on proposed action and receive comments	March 3, 2008	9 people attended

Public Meeting: Monument, OR – Provide information on proposed action and receive comments	March 5, 2008	15 people attended
Public Meeting: Fossil, OR – Provide information on proposed action and receive comments	March 6, 2008	7 people attended
Meeting: Morrow County Court – present proposed action and history of OHV use on the District	March 26, 2008	6 people attended
Newspaper Article: East Oregonian – Ranger District Looks to Change Access Trails at OHV Park	March 29, 2008	Newspaper circulation in Eastern Oregon
Meeting: John Day / Snake River Resource Advisory Committee – presentation of the West-End OHV project	April 4, 2008	15 RAC Members
Newsletter mailing – includes newsletter update, Project update information	July 29, 2008	243 newsletters mailed
Meeting: John Day / Snake River Resource Advisory Committee – presentation of the West-End OHV project	September 5, 2008	15 RAC Members
Meeting: Quarterly Coordination Meeting with Natural Resources Department of the confederated Tribes of the Warm Springs Reservation – provided update on project status	September 22, 2008	ATM (West End OHV) update included at program of work meeting. 10 People attended
Meeting: Confederated Tribes of the Umatilla Indian Reservation, Natural Resource Staff	November 17, 2008	ATM (West End OHV) update included at program of work meeting.
Meeting: Confederated Tribes of the Umatilla Indian Reservation, Cultural Resource Committee Staff	December 2, 2008	ATM (West End OHV) update included at program of work meeting.
Meeting: Confederated Tribes of the Umatilla Indian Reservation, Fish and Wildlife Committee	December 9, 2008	ATM (West End OHV) update included at program of work meeting.
Letter – Inform public of expected EA release date and upcoming public meetings	December 9, 2008	248 letters mailed
News Release: Heppner Ranger District Schedules Public meetings In Heppner, Fossil, and Monument to discuss 5 alternatives	December 10, 2008	Newspaper circulation in Morrow and Umatilla counties
News Release: Public meetings postponed, rescheduled after New Year	December 15, 2008	Newspaper circulation in Morrow and Umatilla counties
Letter – Mailing of preliminary EA to individuals who requested a copy.	December 29, 2008	11 paper copies and 4 disks mailed
Legal Notice – Request for Comments in Newspaper of Record: <i>East Oregonian</i>	January 2, 2009	Newspaper circulation in Eastern Oregon
Fliers – Public meeting dates, locations and times	January 2, 2009	Posted in Heppner, mailed to Fossil and Monument
News Release: Public meetings rescheduled	January 5, 2009	Newspaper circulation in Morrow and Umatilla counties
Agency Meeting – individuals from the Pendleton office of Oregon Department of Fish and Wildlife and Umatilla NF	January 6, 2009	Review of alternatives considered

Telephone calls – individuals from Fossil and Monument that had been involved in project previously to inform of rescheduled meeting information	January 7, 2009	Called 21 individuals
Newspaper article in East Oregonian of public meeting dates	January 7, 2009	Newspaper circulation in Eastern Oregon
Public Meeting: Fossil, OR – Provide information on alternatives and how to comment	January 8, 2009	4 people attended
Public Meeting: Monument, OR – Provide information on alternatives and how to comment	January 12, 2009	2 people attended
Agency Meeting – individuals from the Heppner office of Oregon Department of Fish and Wildlife and Umatilla NF	January 13, 2009	Review of alternatives considered
Public Meeting: Heppner, OR – Provide information on alternatives and how to comment	January 13, 2009	17 people attended
Letter – enclosed copies of the EA to individuals that requested after initial mailing on December 29, 2008	January 14, 20, and 21, 2009	Mailed 6 copies of the EA
Letter – mailed requested information on 30 day review and comment period	January 22, 2009	Individual needed additional clarification on time period and how to comment
Meeting with John Day Snake River RAC	February 26, 2009	West End OHV Project included in Forest project update
Meeting – Kathleen Cathey, Staffer for Senator Wyden and Forest Supervisor Kevin Martin	March 12, 2009	West End OHV Project included in Forest project update
Meeting – Gov't to Gov't meeting with the Board of Trustees for the Confederated Tribes of the Umatilla Indian Reservation	April 3, 2009	West End OHV Project included in Forest project update
Meeting – Sierra Club and American Hiking Society representatives meet with District Ranger	April 6, 2009	Met in Prineville, OR to discuss concerns of alternatives and analysis of the West End OHV project
Meeting with John Day Snake River RAC	May 28, 2009	West End OHV Project included in Forest project update
Meeting – Liz Scheeler, Staffer for Senator Markley meet with Kevin Martin, Forest Supervisor	June 24, 2009	West End OHV Project included in Forest project update
Quarterly meeting with Confederated Tribes of the Warm Springs Reservation (T, Mafera)	June 25, 2009	West End OHV Project included in Forest project update

## ***Treaty Rights***

The Forest Service, through the Secretary of Agriculture, is vested with statutory authority and responsibility for managing resources of the National Forests. No sharing of administrative or management decision-making power is held with any other entity. However, commensurate with the authority and responsibility to manage is the obligation to consult, cooperate, and coordinate with Indian Tribes in developing and planning management decisions regarding resources on National Forest System land that may affect tribal rights.

In 1855, two treaties that affect the Umatilla National Forest were signed between the United States government and several Indian tribes. The treaty with the Walla Walla, Cayuse, and Umatilla tribes and bands of Indians in Washington and Oregon Territories (today referred to as the

Confederated Tribes of the Umatilla Indian Reservation) was signed on June 9, 1855. On June 26, 1855, a treaty was signed with the Tribes of Middle Oregon (these groups are now known as the Confederated Tribes of the Warm Springs Indian Reservation).

The West-End OHV Environmental Assessment project area lies within the area ceded to the United States by the Tribes as a result of the 1855 Treaty. The treaty was subsequently ratified by Congress and proclaimed by the President in 1859. As a result of the treaty, elements of the Tribes' culture, such as tribal welfare, land and resources were entrusted to the United States government. Trust responsibilities resulting from the Treaty dictate, in part, that the United States government facilitates the execution of treaty rights and traditional cultural practices of the Tribes by working with them on a government to government basis in a manner that attempts a reasonable accommodation of their needs, without compromising the legal positions of the Tribes or the Federal Government.

Although no written comments were received from the Tribes, the effects of the proposed action and alternatives were evaluated according to past statements of tribal interest that expressed concerns regarding similar projects and outlined Treaty Rights resources that could be affected by the project. These concerns have included:

1. Potential impacts to fish habitat and populations
2. Implementation of adequate measures to protect the fishery resource and production in the John Day Basin
3. Potential impacts of the proposed projects on salmonid species listed as threatened and endangered under the Endangered Species Act
4. Impacts of the proposed projects on PACFISH and water quality standards, and measures the Forest Service will implement to adhere to those standards
5. Impacts to wildlife in the usual and accustomed use areas
6. Project impacts on archaeological sites and Traditional Cultural Properties
7. Access to traditional use areas for tribal members

Because tribal trust activities often occur in common with the public, the Umatilla National Forest will strive to manage tribal ceded land in favor of the concerns of the tribes, as far as practicable, while still providing goods and services to all people.

## ***Issues***

The Forest Service encourages public involvement in the identification of issues and development of alternatives through a process called 'scoping'. During scoping, a general description of this project's purpose and need and proposed action was distributed to the public through letters, personal contact, and the Forest's Schedule of Proposed Actions. The public was invited to comment on the potential conflicts posed by the proposed action. These comments were then used to identify issues, alternatives to the proposed action, and the extent of environmental analysis necessary for making an informed decision.

In addition to issues identified through public response, the Interdisciplinary Team considered potential issues not identified by the public. This was done by first identifying all the activities connected to accomplishing the proposed action. Then the team identified potential cause/effect



relationships associated with each type of action that could result in resource conflicts, relying in part on public comments from previous, similar projects. The Interdisciplinary Team considered these potential conflicts or issues, together with those identified during scoping, to determine whether it required development of an alternative to the proposed action, needed mitigation measures, or whether it was beyond the scope of this project. Issues are discussed below. Comments were received from 23 individuals, three organizations and six government agencies. Three issues were considered to be major or relevant to the development of alternatives to the proposed action. Relevant issues are defined as “unresolved conflicts between alternative uses of available resources” [NEPA § 102(2)(E)]. A summary of these effects is presented at the end of Chapter 2, with a more detailed discussion in Chapter 3, Environmental Consequences.

## **Issues Recommended for Alternative Development**

### **Reduced Off Highway Vehicle Access Opportunities**

***Issue:** Eliminating cross country motorized use will reduce OHV opportunities.*

The Forest Service received several comments that the proposed action either eliminated favorite routes, resulting in a measurable reduction in recreational access opportunities for OHVs, or that identified additional routes for designation that were not included in the Proposed Action. The Forest Service identified the comments that were route-specific and that took issue with not designating a specific route. In each case, the Forest Service reviewed each route for the site-specific, cause-effect relationships between the Proposed Action and the concerns about recreational opportunities expressed by the comments. The Forest Service assessed the ability for these routes to be used while avoiding adverse resource impacts. The routes that created important connections and access, had no potential to cause adverse resource impacts, and addressed the recreational opportunity issue were included in an alternative to the Proposed Action.

Access to campsites within the Bull Prairie Campground was also a specific concern to OHV users. Several comments expressed the desire to have the opportunity to camp at Bull Prairie Campground with the ability to ride from their campsite onto the designated OHV system.

Indicators:

- Miles of designated roads and trails open to OHV use
- Connections or access important to OHV users including: loops and connections, access to viewpoints, and access to the Morrow/Grant County OHV Park
- Area within Bull Prairie Administrative site that is accessible to OHVs

### **Effects of Designating Routes on Non-Motorized Recreational Opportunities**

***Issue:** Designating eighty-three miles of Class I and Class III trails for OHV use beyond open roads currently available for OHV use and motorized vehicle traffic would unnecessarily reduce the overall potential area available for predominately non-motorized recreational pursuits.*

The Forest Service received comments expressing a general concern about the amount of proposed motorized access and the overall effect this access would have on non-motorized recreational opportunities. Comments were also received that stated specific concerns that the increase in OHV popularity and the nearby Morrow/Grant County OHV Park would cause an

increase in OHVs within the Bull Prairie Campground. They were concerned over the solitude and quietness of Bull Prairie Campground.

Indicators:

- Acres of non-motorized influence in the project area
- Area within Bull Prairie Administrative site that is accessible to OHVs

### **Effects of Designating Routes on Wildlife and Seasonal Habitat Areas**

**Issue:** *Designating additional routes for OHV use beyond what is currently open to full size vehicles would perpetuate adverse effects on wildlife.*

The Forest Service received comments expressing a general concern about the amount of proposed motorized access and the overall effect this access would have on wildlife habitats; particularly big game.

Indicators:

- Habitat Effectiveness Index for Rocky Mountain Elk
- Habitat acres of OHV influence within ½ mile of trails

### **Other Issues Analyzed**

Issues that were not considered major, but which related to existing regulations or which help to better understand the consequences of the proposed activities were considered other issues and will be tracked throughout this document. These other issues are generally of high interest or concern to the public or are necessary to understand the full extent of the alternatives.

Issues (indicators):

- Potential effects to management indicator species, endangered, threatened, and sensitive species, species of interest and their habitats (disturbance or changes in habitat).
- Soil disturbance resulting from this project (acres of detrimental soil disturbance)
- Potential for sedimentation to enter streams (tons per square mile per year)
- Potential effects on 303d listed streams (miles of designated roads and trails within riparian areas)
- Effects to threatened fish and their habitat (sediment or fines reaching fish bearing streams, riparian vegetation, and stream bank stabilization).
- Effects of OHV activity to sensitive plant species occurring within the project area (trail designations near sensitive plant populations)
- Potential for noxious weed establishment, spread, and treatment costs (miles of OHV routes)
- Potential for damage to cultural resources (OHV ground disturbance near known sites)
- Changes in landscape characteristics (natural integrity and apparent naturalness,

solitude and remoteness, and special features)

## ***Permits and Licenses***

None required

## ***Project Record***

A Project Record will be maintained at the Heppner Ranger District. Items contained in the Project Record include: Scoping letters sent to Tribes, other Governmental Organizations, public mailing lists; letters received during the Scoping process from concerned citizens; emails from concerned citizens and Forest Service IDT members; minutes of meetings; West-End OHV Public Participation Plan; the project initiation letter and specialist reports. This Project Record may be reviewed at the Heppner Ranger District, 117 S. Main, Heppner, Oregon 97836.

## ***Decisions to be Made***

The Heppner District Ranger will serve as the deciding official for this project. After considering the environmental effects disclosed in this document, the District Ranger would make the following decisions for off highway vehicle travel on the Heppner Ranger District:

1. Which, if any, roads, trails, or areas should be designated for OHV use?
2. Whether or not to designate 61,000 acre area as open to cross country travel?
3. What class of OHVs to allow on specific roads, trails, or designated areas?
4. What season(s) to allow OHV use?
5. How many miles of new trail, if any, should be constructed? Where should construction of new trails occur?
6. What adjustments should be made to manage user conflicts in Bull Prairie Campground?

## ***Preview of Remaining Chapters***

### **Chapter 2 – Alternatives**

This chapter describes and compares the alternatives considered for the West-End OHV project, and provides a basis for choice among options by the decision-maker and the public. Some of the information is based upon the design of the alternative and some of the information is based upon the environmental, social, and economic effects of implementing each alternative.

### **Chapter 3 – Environmental Consequences**

This chapter summarizes the physical, biological, social, and economic environments of the affected project area and the potential changes to those environments due to the implementation of the alternatives discussed in Chapter 2. It also presents the scientific and analytical basis for the comparison of alternatives presented.

### **Chapter 4 – Consultation and Coordination**

This chapter provides a list of the primary preparers of this document; a list of: agencies, organizations, and persons who were consulted or from whom scoping comments were received.

## **Bibliography**

List of reference material cited by each specialist in writing their reports and this environmental assessment.

## **Appendices**

Appendix A – Maps:

- Alternative maps

- Forest Plan management area map

- Bull Prairie Campground alternative maps

Appendix B – Best Management Practices

Appendix C – Road and Trail Analysis

Appendix D – Response to Comments